UNITED STATES DISTRICT COURT SOUTHERN DISTRICTORS PENOTORK 10486-AKH Document 5 Filed 01/08/2008 Page 1 of 1 AFFIDAVIT OF IN RE COMBINED WORLD TRADE CENTER PERSONAL SERVICE AND LOWER MANHATTAN DISASTER SITE LITIGATION (straddler plaintiffs) FREDDY PINZA, Plaintiff, - against-THE CITY OF NEW YORK, TULLY CONSTRUCTION CO., INC,. TULLY Civil Action No. : ENVIRONMENTAL INC., TULLY INDUSTRIES, : 07-CV-10486 INC., TURNER CONSTRUCTION COMPANY, BOVIS LEND LEASE, INC., BOVIS LEND LEASE LMB, INC., AMEC CONSTRUCTION MANAGEMENT, INC., BECHTEL ASSOCIATES PROFESSIONAL CORPORATION, BECHTEL CONSTRUCTION, INC., BECHTEL CORPORATION, BECHTEL ENVIRONMENTAL, INC., BROOKFIELD FINANCIAL PROPERTIES, L.P., BFP ONE LIBERTY PLAZA CO., LLC, BLACKMON- MOORING- STEAMATIC CATASTROPHE, INC., HILLMAN ENVIRONMENTAL GROUP, 90 CHURCH STREET LIMITED PARTNERSHIP, BOSTON PROPETIES, INC., WFP RETAIL CO. L.P., AMERICAN EXPRESS COMPANY, AMERICAN: EXPRESS BANK, LTD, AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC., LEHMAN BROTHERS, INC., LEHMAN COMMERICAL PAPER INC., LEHMAN BROTHERS HOLDINGS INC., AND BFP TOWER C CO. LLC, Defendants. Stephanie Lopez, being duly sworn, deposes and says: I am over 18 years of age, I am not a party to the action, and I reside in Bronx County in the State of New York. That on the 4th day of January 2008, at approximately 10:45 a.m. at Ct Corporation located at 111 8th Avenue, New York, New York 10011, deponent served the within copy of the Summons and Complaint upon Bechtel age and discretion. Deponent describes person served as aforesaid to the best of deponent's ability at the time and circumstances of service as follows: Female Hispanic, brown skin, black hair, approx. 30-35, height approx. 5'4"-5'7"

Corporation, by delivering thereat a true copy of same to Aixa Flores, process specialist, an individual of suitable

Sworn to before me this day of January 2008

Notary public

BEATRIZ DOLORES ARANA Notary Public, State of New York No. 01AR6132940

Qualified in Queens County Commission Expires August 29, 20